

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**COREY LEE TUBBY**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO.: 1:22-cv-139-RP**

**KILOLO KIJAKAZI, ACTING COMMISSIONER  
OF THE SOCIAL SECURITY ADMINISTRATION**

**DEFENDANT**

**ORDER GRANTING UNOPPOSED MOTION TO REVERSE AND REMAND**

THIS CAUSE having come on for hearing on the Defendant's Motion to Reverse and Remand [ECF No. 13] and this Court, having considered the same and being fully advised in the premises, and noting that Plaintiff has no objection, is of the opinion that said Motion for Remand is well taken and should be, and the same is, hereby granted.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Defendant's Motion to Reverse and Remand is GRANTED and the underlying ALJ's unfavorable decision denying Plaintiff's claim for social security benefits is REVERSED and REMANDED for further action by the Commissioner of the Social Security Administration pursuant to the fourth sentence of 42 U.S.C. § 405(g) and *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

IT IS, FURTHER, ORDERED AND ADJUDGED that on remand an Administrative Law Judge shall (1) further evaluate the opinion evidence and the residual functional capacity; (2) obtain supplemental vocational expert evidence; (3) take any further action needed to complete the administrative record; (4) give Plaintiff an opportunity for a hearing; and (5) issue a new decision.

**SO ORDERED**, this the 13th day of March, 2023.

/s/ Roy Percy  
UNITED STATES MAGISTRATE JUDGE